

REMARKS

Claims 1, 4-6 and 19-21 stand rejected under 35 USC §103(a) as being unpatentable over Chen (U.S. Patent No. 5,846,648) in view of Matsunuma (U.S. Patent No. 6,602,621). In response, Applicant amended independent claim 1 to clarify that adjacent metallic islands are physically spaced from each other, and that adjacent crystal grains are in contact with each other at a grain boundary, and respectfully traverse the rejection.

Amended claim 1 now defines the adjacent metallic islands as being physically spaced from each other, such that the metallic islands exist in a sparse or scattered manner. The plurality of islands structure provides a discrete aggregations of atoms, namely discrete islands.

In contrast, Chen has adjacent grains 74 in contact with one another, as shown in Fig. 2 of Chen. No space is defined between the adjacent grains 74.

Amended claim 1 defines the adjacent crystal grains as being in contact with each other at a grain boundary in the seed crystal layer. The crystal grains are in contact with one another to form a continuous seed crystal layer.

In contrast, Chen discloses discrete grains 76 growing from the corresponding nucleation sites 74. The insulating material 80 exists between the adjacent grains 76, as shown in Fig. 2 of Chen. Accordingly, the structure of Chen is completely different from the structure of the present invention.

In the outstanding rejection, the Examiner asserts that the invention is obvious because Chen discloses that grain spacing determines properties by referring to column 2,

lines 24-31, column 8, lines 15-48, column 9, lines 14-26, column 12, lines 29-41, and column 16, lines 9-46 of Chen. Applicant respectfully traverses this assertion of the Examiner. These descriptions cited by the Examiner merely relate to a magnetic property. The magnetic property results from grains 78 of the magnetic recording layer 16. The grain spacing between the metallic islands of the present invention do not directly relate to a magnetic property. The metallic islands are utilized to control the growth of the crystal grains in the seed crystal layer. This concept of the present invention is far different from the grain spacing concept of Chen. Accordingly, since the structure of the present invention is different from that of Chen, the present invention cannot be obvious in light of the disclosure of the disclosure of Chen.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

Customer No. 24978

July 3, 2008

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Tel: (312) 360-0080
Fax: (312) 360-9315
P:\DOCS\25006613\4D46146.DOC

By

Joseph P. Fox
Joseph P. Fox
Registration No. 41,760